



PATENT  
Attorney Docket No.: A-68292-2/RMS/DHR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* application of:

LUO et al.

Serial No. 09/843,159

Filed: April 25, 2001

For: TANKYRASE H,  
COMPOSITIONS INVOLVED IN  
THE CELL CYCLE AND  
METHODS OF USE

Examiner: UNKNOWN

Group Art Unit: 1653

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, U.S. Patent and Trademark Office, BOX SEQUENCE, P.O. Box 2327, Arlington, VA 22202 on 12 April, 2002.

Signed:

Gail Diehl  
Gail Diehl

RECEIVED

MAY 03 2002

STATEMENT RE SUBSTITUTE SEQUENCE LISTING

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
BOX SEQUENCE, P.O. Box 2327  
Arlington, VA 22202

Sir:

This Statement is in response to the Notice of Incomplete Reply (Nonprovisional) mailed March 6, 2002 and the attached CRF Problem Report. A copy of the notice and attached report are enclosed. The Commissioner is authorized to charge any additional fees including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68292-2/RMS/DHR).

REMARKS

**Serial No.:** 09/843,159

**Filed:** April 25, 2001

The instant application was technically abandoned as of 5 February 2002, due to an incomplete reply to the Notice to File Missing Parts. In response to the Notice to File Missing Parts, Applicants submitted a computer readable sequence disk, which was apparently destroyed or damaged during the treatment of the mail. In addition, the formal drawings filed in response to the Notice were rejected.

Applicants did not receive the Notice of Incomplete Reply (mailed 6 March 2002) prior to the extended deadline for responding to the Notice of Missing Parts (5 February 2002). As a result, despite the lack of a Notice of Abandonment, the present application was technically abandoned before a Notice of Incomplete Reply was issued.

Applicants have Petitioned to revive the instant application under 37 CFR 1.137(b), a copy of which is attached hereto. In anticipation of the granting of the Petition, Applicants submit the present statement re: substitute sequence listing.

This statement is made in adherence with 37 C.F.R. § 1.821-1.825. This statement is accompanied by a floppy disk containing the above named sequence, SEQUENCE ID NUMBERS 1-19 in computer readable form. The computer readable sequence listing was prepared through use of the software program "PatentIn" provided by the PTO. The information contained in the computer readable disk is identical to that of the paper copy that was filed with the Office in reply to the Notice to File Missing Parts. Applicant submits that this statement, the accompanying computer readable sequence listing, the previously filed Preliminary Amendment and the previously filed paper copy of the sequence listing serve to place this application in a condition of adherence to the rules 37 C.F.R. § 1.821-1.825.

**Serial No.:** 09/843,159  
**Filed:** April 25, 2001

Please direct any calls in connection with this application to the undersigned at (415)  
781-1989.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Dated: 4/12/02

Four Embarcadero Center  
Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989

Robin M. Silva  
Robin M. Silva  
Reg. No. 38,304